

**REMARKS**

The Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 12-63 have been previously withdrawn and are currently cancelled.

Claim 1 is currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-11 (11 claims) are now pending in this application.

Claims 12-63 were previously withdrawn in response to a restriction requirement. In this amendment, the Applicants cancel claims 12-63, however, reserve the right to file a divisional application for such claims.

On page 2, paragraph 1 of the Office Action, the Examiner confirmed the withdrawal of claims 12-63 in response to the restriction requirement. In his comments, the Examiner states "Examiner notes that the product as claimed could be made by fastening the layers with adhesive". In response, the Applicants submit that there is no teaching or suggestion in the present application that the various layers of the separable apparatus can be made by fastening the layers with adhesive. Claim 1 states an "overmold member" which is integrally formed in a molding machine as described in paragraph [0037] of the application as originally filed. Accordingly, the Applicants respectfully request that the Examiner withdraw his statement referenced above.

On page 2, paragraph 3 of the Office Action, the Examiner has rejected claims 1, 3-11 under 35 U.S.C. § 103(a) as being unpatentable over Rechelbacher (USPN: 6,647,582) in view of Kendal (USPN: 5,775,233).

Claim 1 is in independent form. Independent claim 1, as amended, now recites a separable apparatus comprising an overmold member comprising a first non-foam layer and a second non-foam layer, in conjunction with the first layer, enveloping a micro-cellular foam layer “as a unitary, separable overmold member”.

The separable apparatus in which an overmold member is a “unitary, separable overmold member” as required in independent claim 1, as amended, is not disclosed, taught or suggested by Rechelbacher or Kendall alone or in combination. Support for the amendment to independent claim 1 can be found at least in paragraphs 0055 – 0057 of the present application as originally filed and Figures 10, 12, 14, 16, and 17.

Accordingly, the Applicants respectfully request the Examiner withdraw his rejection under 35 U.S.C. § 103(a) of independent claim 1, as amended, and claims 2-11 which depend from independent claim 1, as amended.

On page 4, paragraph 12 of the Office Action, the Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Rechelbacher in view of Kendall as applied to claim 1 above and further in view of Watarai (USPN: 5,848,555).

Dependent claim 2 depends from independent claim 1, as amended. As previously described, the Applicants have amended independent claim 1 to recite a combination of subject matter the Applicants believe to be allowable.

Accordingly, the Applicants submit that the rejection under 35 U.S.C. § 103(a) have been overcome and dependent claim 2, as it depends from independent claim 1, as amended, is now allowable. See 35 U.S.C. § 112 para. 4. The Applicants respectfully request reconsideration and allowance of dependent claim 2.

Prior art made of record but not relied upon has been reviewed.

The Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

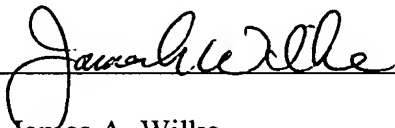
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this Application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

Date 03-14-06

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5776  
Facsimile: (414) 297-4900

By   
James A. Wilke  
Attorney for the Applicants  
Registration No. 34,279